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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MICHELE DANISE MILLER,

Plaintiff,

vs.

LONGS DRUGS DBA CVS HEALTH, et al.,

Defendants.

Case Number:  
2:22-cv-001150-JAD-VCF

ECF No. 25

**STIPULATION AND ORDER TO EXTEND DEADLINE FOR PLAINTIFF TO  
RESPOND TO DEFENDANT'S MOTION TO COMPEL ARBITRATION AND TO  
DISMISS THE ACTION (ECF NO. 24)  
(FIRST REQUEST)**

Plaintiff Michele Danise Miller ("Plaintiff"), through her counsel of record, the law office of Marquis Aurbach, and Long Drugs dba CVS Health ("Defendant"),<sup>1</sup> through its counsel of record, the law firm of Littler Mendelson, P.C., hereby agree and jointly stipulate the following:

<sup>1</sup> Defendant maintains that Caremark, L.L.C., not Longs Drugs DBA CVS Health, is the proper party to this action.

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1 1. Marquis Aurbach has been representing Plaintiff in this case through Legal  
2 Aid on a pro bono basis.

3 2. Circumstances have arisen between Plaintiff and Marquis Aurbach, which  
4 have resulted in Marquis Aurbach not being comfortable continuing with the representation.

5 3. Marquis Aurbach has notified Legal Aid it plans to withdraw from the case.

6 4. Legal Aid has indicated that it will put Plaintiff on the waitlist for assignment  
7 to new pro bono counsel.

8 5. Defendant's Motion to Compel Arbitration and to Dismiss the Action, or,  
9 Alternatively, to Stay the Action Pending Arbitration (ECF NO. 24), however, is pending  
10 before the Court and Plaintiff's response is due June 2.

11 6. The basis for this stipulation and extension of time is to allow Marquis  
12 Aurbach time to withdraw and Legal Aid and/or the magistrate overseeing the federal pro  
13 bono program to obtain/assign new counsel for Plaintiff.

14 7. Accordingly, the parties have agreed to extend Plaintiff's time to respond to  
15 the Defendant's Motion 60 days from June 2, 2023 to August 1, 2023.

16 8. Marquis Aurbach's formal request to withdraw from the case will follow this  
17 Stipulation.

18 9. This is the first request for an extension of this deadline.

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10. The Parties both submit that the instant stipulation is being offered in good faith and not for the purpose of delay.

IT IS SO STIPULATED.

Dated this 25th day of May, 2023

Dated this 25th day of May, 2023

MARQUIS AURBACH

LITTLER MEDELSON, P.C.

By: /s/ Tye S. Hanseen

By: /s/ Andrew S. Clark

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Attorneys for Plaintiff

Michele Danise Miller *Plaintiff*

**ORDER**

IT IS SO ORDERED:

  
UNITED STATES DISTRICT JUDGE

DATED: 6/2/23

MARQUIS AURBACH

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